

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MAINE

UNITED STATES OF AMERICA                    )  
  )  
  )     Case No. 1:19-MJ-270-JCN  
  )  
v.    )  
  )  
CODY LYON   )

**DEFENDANT’S UNOPPOSED MOTION FOR RELEASE FOR EVALUATION**

NOW COMES Defendant, by and through undersigned counsel, and hereby moves this Court for the entry of an order allowing Defendant to be released from the Piscataquis County Jail to the custody of his parents, Scott and/or Angela Lyon, for the sole purpose of traveling to and completing a mental health evaluation in Hampden, Maine, and to then return to custody at the Piscataquis County Jail, and states as follows:

1.     A hearing on the Government’s Motion for Detention was held on August 29, 2019. At the hearing this Court noted that in order to fashion conditions that would allow Defendant to be released a mental health evaluation would be in order.

2.     USPO Laflin has arranged for Defendant to be evaluated by Charles Gardner at Dirigo Counseling Clinic in Hampden, Maine from 2:00 p.m. – 4:00 p.m. on September 5, 2019. Defendant’s parents are willing and able to transport Defendant to and from the evaluation and act as Defendant’s custodians. Both understand that as custodians that if Defendant was to flee or otherwise engage in conduct in violation of any conditions of release that they would be obligated to report same immediately to USPO Laflin.

3.     The approximate driving time between the Piscataquis County Jail, where Defendant is detained, and Dirigo Counseling in Hampden, Maine is 52 minutes. Allowing enough time in the event of traffic or unavoidable delays as well as any possibility that the

evaluation takes slightly longer than the allotted 2 hours, if Defendant was released at 12:45 p.m. with a requirement that he return no later than 5:15 p.m. then that would be sufficient time for travel and for Defendant to have this evaluation conducted.

4. AUSA Raphaelle Silver has indicated that she has no objection to the granting of this Motion.

WHEREFORE, for the foregoing reasons, Defendant respectfully requests that this Court enter an order allowing Defendant to be released to the custody of Scott and/or Angela Lyon on September 5, 2019 from 12:45 p.m. to 5:15 p.m. for the sole purpose of traveling to and from Hampden, Maine for a mental health evaluation.

Date: September 3, 2019

/s/Walter F. McKee  
WALTER F. MCKEE  
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(207) 620-8294

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 3, 2019 I electronically filed Defendant's Unopposed Motion for Release with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following: United States Attorney's Office, Bangor, Maine.

Date: September 3, 2019

/s/Walter F. McKee  
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